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September 6, 2017

VIA E-MAIL

The Honorable Katharine H. Parker
United States Magistrate Judge
Southern District of New York
500 Pearl Street, Room 1950
New York, New York 10007

**Re: *City of Almaty, Kazakhstan, et ano. v. Mukhtar Ablyazov, et al.*,
Case No. 15-CV-5345 (AJN) (KHP)**

Dear Judge Parker,

Our firm represents crossclaim defendants Viktor Khrapunov and Ilyas Khrapunov (the “Khrapunovs”) in the above-referenced matter. Earlier today, the City of Almaty and BTA Bank (together, “Almaty/BTA”) and Triadou SPV S.A. (“Triadou”) filed letters providing their interpretation of the Court’s September 1, 2017 Order regarding the upcoming deposition of Nicolas Bourg (ECF No. 409). We join the request for clarification on the September 1, 2017 Order.

In order to have the deposition of Mr. Bourg proceed in an orderly way in London next week, we request that the Court issue an order setting the time for each of the parties and the order in which each counsel proceeds.

We ask that this Court confirm the allocation of time for questioning of Mr. Bourg as follows:

- Counsel for Triadou: 7 hours
- Counsel for the Khrapunovs: 3.5 hours

The Honorable Katharine H. Parker
September 6, 2017
Page 2

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- Counsel for Almaty/BTA: 3.5 hours

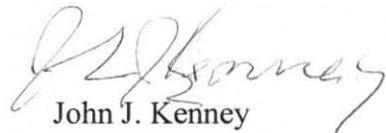
This breakdown permits Triadou to conduct a full day of questioning, as set forth in the September 1, 2017 Order, and affords the undersigned 3.5 hours to question Mr. Bourg.

We further request that this Court confirm the order in which the parties will depose Mr. Bourg. As Mr. Schwartz makes clear in his letter, he intends to conduct a direct examination which he plans to use at trial if Mr. Bourg fails to appear as a trial witness. ECF No. 411 at 2. For this reason, his questioning should go first to allow cross examination by the defendants. We reserve our right to address the use of such testimony in a pre-trial motion *in limine* to Judge Nathan.

Mr. Schwartz should be followed by Triadou. And final questioning should be by counsel for the Khrapunovs, but we would not object to the Khrapunovs following Mr. Schwartz.

The deposition of Mr. Bourg is scheduled in London for next Monday and Tuesday, September 11-12, 2017. We respectfully request that this Court resolve these issues to avoid the need for further application to the Court while the parties are overseas.

Respectfully submitted,



John J. Kenney

cc: All Counsel of Record (by ECF)